

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

WILLIAM A. RANKIN and
SHIRLEY A. RANKIN,

Plaintiffs

Miscellaneous Case No. 19-51545

HON. DENISE PAGE HOOD

v.

BRIAN LAVAN AND ASSOCIATES P.C.
and COLLEEN K. CORCORAN, TRUSTEE,

Defendants.

**ORDER DENYING INITIATING MOTION
TO RE-OPEN AND VACATE UNDER RULE 60(d)(3)
and DISMISSING MISCELLANEOUS CASE**

This matter is before the Court on Plaintiffs William A. Rankin and Shirley A. Rankin's Motion to Re-Open and Vacate under Rule 60(d)(3) Fraud on the Court filed in a miscellaneous case number. Plaintiffs' motion does not identify the case and case number they seek to reopen. However, based on the documents submitted by Plaintiffs, they appear to seek the reopening a bankruptcy matter, *In re William A. Rankin and Shirley A. Rankin*, Case No. 02-30596, U.S. Bank. Ct., E.D. Mich. See ECF No. 1, PageID.64-.65, .69.

Generally, litigants file a motion to reopen a case in the case and case number the litigants seek to reopen, where the record, orders and other relevant documents are

filed. Plaintiffs in this instance did not do so, but instead filed the instant motion in a miscellaneous case number. Plaintiffs do not indicate that this Court was the presiding judge in the case they seek to reopen, and this Court's review of its docket failed to show such. Plaintiffs have not cited any authority under which this Court may review a motion to reopen a case which was not before this Court.

Accordingly,

IT IS ORDERED that Plaintiffs' Initiating Motion to Re-Open and Vacate under Rule 60(d)(3) Fraud on the Court (ECF No. 1) is DENIED. The Court has no opinion as to whether Plaintiffs are able to file such a motion in the appropriate case and case number.

IT IS FURTHER ORDERED that this Miscellaneous Case Number is DISMISSED and designated as CLOSED on the Court's docket.

s/Denise Page Hood
Denise Page Hood
Chief United States District Judge

Dated: December 4, 2019